

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 7082

BILL NUMBER: HB 1135

NOTE PREPARED: Mar 21, 2005

BILL AMENDED: Mar 21, 2005

SUBJECT: Electronic Publication of the IAC and Indiana Register.

FIRST AUTHOR: Rep. Heim

FIRST SPONSOR: Sen. Ford

BILL STATUS: CR Adopted - 2nd House

FUNDS AFFECTED: X **GENERAL**
DEDICATED
FEDERAL

IMPACT: State

Summary of Legislation: (Amended) The bill requires the Legislative Services Agency, as the publisher, to publish the Indiana Administrative Code (IAC) and the Indiana Register in electronic form only after June 30, 2006. It establishes administrative rulemaking requirements to facilitate the electronic editing and publication of the documents. The bill requires an agency to obtain an "authorization to proceed" from the publisher of the Indiana Register. The bill also specifies that the publisher of the Indiana Register and Indiana Administrative Code may permanently publish those documents on the Internet to meet the publisher's publication duties. The bill requires the publisher to provide a paper copy of each document to each federal depository library in Indiana.

Effective Date: July 1, 2005.

Explanation of State Expenditures: *Legislative Services Agency (LSA):* The administrative changes in this bill are not expected to have a significant impact on the LSA, the publisher of the IAC and the Indiana Register. Under the bill, effective after June 30, 2006, the publisher of the IAC may only publish the Indiana Register and the Indiana Administer Code in electronic form.

The Indiana Register and IAC are currently published electronically, with only a limited number of paper copies printed. Each month, approximately 40 paper copies of the Indiana Register are printed and distributed internally or to depository libraries. The supplemental IAC is printed every second year with about 200 bound editions. Both the Indiana Register and the IAC are currently available electronically through the General Assembly's website.

Agencies with Rulemaking Authority: Under the bill, documents associated with rules submissions would have to be submitted electronically to the publisher. Currently, about 95% of the proposed rules are submitted electronically, accompanied by a paper copy. However, most supporting materials, emergency rules, re-adoption, and corrections are submitted in paper form because signatures are required, suggesting the need for paper submission.

The bill would also require that the publisher determine the date that the material will appear in the Indiana Register and provide a written or electronic mail authorization to proceed to the agency. Agencies would not contract for publication of a notice until the LSA document number is assigned, and they would have to provide the authorization with the material submitted to the Attorney General. The administrative changes in the bill are not expected to have a significant impact on the agencies with rulemaking authority.

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Legislative Services Agency; Agencies with rulemaking authority; Attorney General.

Local Agencies Affected:

Information Sources: Steve Barnes, Legislative Services Agency, 232-9564.

Fiscal Analyst: Karen Firestone, 317-234-2106.